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C O N F I D E N T I A L SECTION 01 OF 02 THE HAGUE 001554

SIPDIS

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SUBJECT: SUDAN/NETHERLANDS: NGO AND DUTCH ANGER OVER ARREST  
OF DOCTORS WITHOUT BORDERS IN SUDAN

REF: KHARTOUM 830

Classified By: Political Counselor Andrew Schofer for reasons 1.4 (b) a  
nd (d)

1. (C) SUMMARY: The Government of Sudan's arrest of the Country and Darfur directors of the NGO Artsen zonder Grensen/Medicins sans Frontieres (MSF) angered the NGO and the Dutch government, which has called in the Sudanese Ambassador to protest. The NGO confirms the men are free for now but sees troubling signs in the fact that bond had to be personally guaranteed by local staff. MSF refuses to retract or reveal the sources for the report of violence in Darfur that precipitated the arrests, and they insist the report was intended to address medical issues, not political ones. The Dutch report internal GOS dissent, between the MFA - apparently embarrassed by the event - and the Ministry of Justice - talking tough. MSF said other NGOs have also been harassed, but only MSF chose to alert the world to GOS actions. End Summary

2. (C) One June 1, Stella Kloth (MFA Sudan desk officer) and Econoff discussed Sudan's arrests of Paul Foreman and Vince Hoedt, Sudan and Darfur managers for Artsen zonder Grensen (MSF)/Doctors without Borders. On June 2, Poloff discussed the case with Jeff Prescott (protect), director of MSF in Amsterdam. (NOTE: Prescott insisted he not be quoted publicly in order to protect his NGO from GOS harassment). Prescott and Kloth said that, despite media reports to the contrary, a third member of MSF had not/not been detained.

#### THE CASE

3. (C) Kloth said that the Sudanese Justice Ministry denied arresting Foreman and Hoedt, instead saying they had been "called in for interviews." Kloth said the GOS claimed to be conducting "an investigation" and wanted the names of the rape victims who had given their testimony for the report released by MSF. Prescott confirmed that MSF will neither divulge the victims' names nor disown the report, which MSF insists is a medical report, not a political one. He angrily dismissed the arrests of the two workers as a "purely political" move cleverly intended to decapitate the organization. "Our reports of rapes and violence in Darfur are intended to address the medical issues involved," Prescott insisted, "however, one can read only politics into the arrests."

4. (C) Kloth noted that on June 1, the Dutch ambassador in Khartoum delivered an EU Troika demarche (joined by the U.S. Charge d'affairs) to the Sudanese Under Secretary for Foreign Affairs protesting the arrests (reftel). Referring to current Dutch cable traffic from Sudan, she said that the GOS foreign affairs under secretary Mutrif Saddiq "was frustrated by his colleagues in the Justice Ministry" and said that "the Justice Ministry had agreed to drop the charges." The two would be free to go in "a couple of days, after administrative processing." According to Kloth's readout, the Under Secretary expressed regret for the embarrassment this was causing the GOS. Following up in the Hague, the Dutch MFA called in the Sudanese ambassador to the Netherlands to protest the arrests.

5. (C) Prescott was not sanguine and said he would not relax until the charges were dropped. He said that the GOS Attorney General had told MSF that the two were charged with "spying"; MSF characterized the charges as "intimidation of the NGO." MSF takes the charges seriously, in spite of GOS assurances that the penalty would "be only three years." The MSF posted USD 4000 bail for both men, Prescott reported, adding that the GOS also held members of the local staff "personally responsible" for the men. "We are not sure what "responsible" means in the context of bail, but it creates a terrible added burden for the affected staff," Prescott worried. According to the Dutch MFA, both men still have their passports.

#### POSSIBLE REASONS FOR SUDAN'S ACTIONS

6. (C) Prescott surmised four reasons for the GOS actions:

- a) GOS suspicions that the report would be used by the ICC as evidence;
- b) internal problems in the regime;
- c) GOS efforts to silence NGOs;

d) GOS efforts to disrupt humanitarian aid as the rainy season starts, which especially concerns MSF.

He added that MSF does not normally hand over case information to others, including courts, since they see themselves as a medical organization and, if nothing else, the patient information is privileged. He concluded that the GOS must worry about the reports of the rapes because they are based on objective medical data that would be very persuasive in any prosecution.

17. (C) Prescott wanted to ensure the USG knew that the GOS had harassed other NGOs as well "but these have remained silent out of fear." He named: Solidarity (French), which had one member arrested in January; Oxfam, whose representatives were PNG'd recently; and a Dutch refugee agency, which had staff arrested. "Some NGOs want to "keep quiet about the harassment," Prescott alleged, "but MSF is different. We are screaming about the mistreatment."

18. (C) The GOS had targeted MSF since they are "by far the largest aid organization in Sudan," Prescott claimed, "employing 9000 national staff in Darfur and 180 expats. As a measure of their involvement, he said that in the last twelve months in Darfur, MSF fed 50,000 severely malnourished children (the category includes those who would die in two months without care) and carried out 1 million medical consultations.

SOBEL